

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

JAMES EVERETT SHELTON

Plaintiff,

v.

BLINDBID INC., dba TCPA LITIGATOR LIST. et al.,

Defendant.

Case No. 1:19-cv-01205-CAB

Honorable Christopher A. Boyko

REO LAW, LLC

By: Bryan Anthony Reo

P.O. Box 5100

Mentor, OH 44061

(Business): (216) 505-0811

(Mobile): (440) 313-5893

(E): Reo@ReoLaw.org

Attorney for James Everett Shelton

**PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S
NOTICE OF REMOVAL**

Plaintiff, by and through the undersigned attorney, hereby makes this motion pursuant to F.R.C.P 12(f) on the basis that the Defendant has filed, on 5/28/2019 an irrelevant and immaterial Notice of Removal which claims that the state court action was brought pursuant to the Telephone Consumer Protection Act and that the Plaintiff is Anthony Domenic Reo.

The Plaintiff is James Everett Shelton, and a reading of the complaint reveals not one cause of action or allegation brought under the Telephone Consumer Protection Act. The action is brought pursuant to the Fair Credit Reporting Act.

A proposed order accompanies this motion.

RESPECTFULLY SUBMITTED,

/s/ BRYAN ANTHONY REO

REO LAW LLC

By: Bryan Anthony Reo (#0097470)

P.O. Box 5100

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Attorney for Plaintiff James Everett Shelton

Certificate of Service

I, Bryan Anthony Reo, do hereby certify and affirm that a true and accurate copy of the foregoing document was submitted to the Court's Electronic Filing System on May 28, 2019, which should serve said document upon all attorneys of record for the instant civil action:

/s/ BRYAN ANTHONY REO

REO LAW LLC

By: Bryan Anthony Reo (#0097470)

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Attorney for Plaintiff James Shelton

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Attorney for James Everett Shelton

**PROPOSED ORDER GRANTING
PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S
NOTICE OF REMOVAL**

THIS MATTER came to be considered by the Court pursuant to the Plaintiff's Motion to Strike Defendant's Notice of Removal filed by Plaintiff in the above-captioned cause. The Court having considered the Motion and being fully advised of the premises, it is, therefore,

ORDERED and ADJUDGED:

1. That Plaintiff's Motion to Strike Defendant's Notice of Removal is hereby granted.
2. The Defendant's Notice of Removal, Docket entry #1 is hereby stricken as of the date of the entry of this order.

DONE AND ORDERED in Chambers at Cleveland, Ohio this ____ day of _____,
2019.

CHRISTOPHER BOYKO, JUDGE UNITED STATES DISTRICT COURT NORTHERN
DISTRICT OF OHIO

Copies to:

Bryan Anthony Reo

Benjamin D. Carnahan